

MAILS.  
From San Francisco:  
Shio Maru, Jan. 22.  
For San Francisco:  
Chio Maru, Jan. 26.  
From Vancouver:  
Makura, Jan. 27.  
For Vancouver:  
Indefinite.

# Honolulu Star-Bulletin

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## DARING AIR-RAID MADE ON ESSEN

### SMART MAKES ANSWER TO MRS. KNIGHT'S ACCUSATIONS IN STINGING COUNTER-CHARGE

Grandmother Seeking Control of Child's Share of Estate So She Can Get Money to Break His Wife's Will, He Says in Affidavit—Arguments on Guardianship of Baby are Set for Tomorrow

Henry Gaillard Smart, husband of the late Annie T. K. Parker Smart, who has been the subject of sensational charges in the big fight for the rich Parker estate and the custody of the minor child, Richard Smart, answers his accusers today in affidavits filed in Judge Whitney's court.

He gives his interpretation of Mrs. Smart's will, declaring he believes the child entitled to two-thirds of the estate's income.

Sensational charges are made by his attorneys, in which Mrs. Elizabeth J. Knight, grandmother of the child, is accused of seeking to gain control of the child's share of the income to use the funds in her effort to break the will.

"It is now and it always has been my wish," says Smart in his affidavit, "that the spirit as well as the letter of the last will of my wife be carried out."

"The provisions of the will have been explained to me by my attorneys. I have been advised by them that it was clearly the will of my wife, Thelma, that two-thirds of the income of her estate from the time my son, Richard, becomes of age should be given to my child."

Three affidavits have been filed, one by Smart, another by Frank E. Thompson and a third by Fred W. Milverton. They accompany a motion asking Circuit Judge Whitney to be allowed to present facts and arguments to show that Judge Antonio Perry should not be removed and Attorney C. H. Olson appointed temporary guardian of the child.

"I have an interest in seeing that the estate of my child given him by Thelma is conserved," says the father near the conclusion of his affidavit, "and not squandered in attorneys' fees and costs unnecessarily incurred by persons who are fighting and abusing me over the head of the child and will look for their fees and compensation out of the child's estate."

Attorney Milverton's affidavit sets forth that the appointment of Attorney Olson as the minor's guardian should be denied for the same reason that Judge Matthewman of the third circuit court at Kailua, Hawaii, terminated the appointment of W. A. Kinney to the same office and appointed D. L. Withington in his place.

**May Present Facts.**  
Without hearing argument Judge Whitney decided this afternoon that counsel for Smart should be allowed to present the facts contained in the affidavits of Smart, Milverton and Thompson. The court said it felt they had no "absolute right" by law to appear in the matter, but that it desired to go fully into the entire subject, and for that reason granted them the privilege of appearing as amici curiae, or friends of the court.

Accordingly a motion by Attorney Olson to strike the three affidavits from the files was denied.

The court set 2 o'clock tomorrow as the hour on which it will be ready to hear arguments of counsel for both sides on the question of whether Judge Perry should be removed and Attorney Olson appointed guardian ad litem for Richard Smart.

**Motion Made Today.**

The motion is as follows:  
Now comes Messrs. Thompson, Wilder, Milverton and Lymer and John W. Cathcart, Esq., attorneys for the proponent of the will of Annie T. K. Parker Smart, deceased, and respectfully request that they be allowed to appear at the hearing of the motion of C. H. Olson, heretofore filed in the above entitled matter, for the removal of Antonio Perry, Esq., guardian ad litem of the minor child of said deceased and of said Henry Gaillard Smart, proponent of the will, and for the appointment of said C. H. Olson as such guardian.

This request is made because of the interest of the father of said minor child in the appointment of a proper and suitable person as guardian of the said minor child, and further that said attorneys be so allowed to appear in order to present to this court objections to the granting of said motion, and to present objections to the fitness of said C. H. Olson for such appointment; and to aid and assist the court in an inquiry as to the qualifications of the said petitioner and movant for such appointment.

And in this behalf are specified and set forth the grounds as follows, to wit:

1. That said Henry Gaillard Smart is the father and natural guardian of said minor child.
2. That said C. H. Olson, Esq., is not a relative of said minor child, but a stranger thereto.
3. That the best interests of said minor child require the appointment of a person who is disinterested in all respects.
4. That the best interests of said minor child require the appointment of a person indifferent as between the said Henry Gaillard Smart and Eliza-

(Continued on page two)

### TERRITORY WON'T PRESS TAXATION OF ARMY AUTOS

Legislature May Be Asked to Exempt Vehicles on Federal Reservations

TALK OF "BOYCOTT" IS DECLARED ABSURD

Schofield Barracks Officers Resent Published Report of Drastic Action

That the alleged friction between army officers and the territorial authorities in the matter of imposing a tax on motor cars owned by officers is nothing but a "tempest in a teapot" and that any talk of a general boycott is mere "sounding off" appears from careful investigation of the rumor from authoritative sources. As a matter of fact, the whole matter was adjusted to the satisfaction of both sides yesterday morning, and what insurgent talk may have come from officers at Schofield Barracks came after the question had been disposed of.

While the territory maintains its legal right to tax privately-owned machines on military reservations, word has gone forth that collections will not be enforced, and this because territorial officials are convinced that the army is doing its share of road building and road repair, and that it is to the interests of all parties to follow the custom of other states and territories in the matter.

Maj.-gen. W. H. Carter, the army head in Hawaii, waived aside any talk of army boycotts against Honolulu merchants, when seen this morning by the Star-Bulletin.

**Army Promotes Good Roads.**

"Without entering into the legalities of the matter," said the general, "it seems expedient that the civil and military authorities should pull together in every way. Yesterday morning I had a conversation with territorial officials, and pointed out that the army had already figured in road improvement, and would undoubtedly do more in the future. There is the road up Kolekole pass, that has just been built by the soldiers. When this is joined by a good road on the other side of the pass it may even rival the Pali as a scenic highway. It is open to the public and may be considered as an army contribution to Oahu's roads. Then, before very long, we will have a military road round Koko Head, to connect up the present island circuit. This will not be built by the soldiers, but it will be paid for by the army. All this is well understood by the territorial authorities, and I was assured that the matter of auto taxation would not be pressed."

As to there having been any indignation meetings last night at Schofield Barracks, I have heard of none.

**No "Boycott" Meeting.**

Inquiry among several officers of Lelueha failed to give any light on the alleged meetings, and the threat that there would be a general "boycott" of Honolulu, in which the post exchanges, which do an enormous business with local merchants, would take part. The supposition is that a few of the officers who own motor cars may have "sounded off" somewhat to that effect, but there is no thought of concerted action. As the whole matter was settled to the army's satisfaction before the radicals were heard from, there is little chance of anyone coming forward at this time to claim the doubtful honor of fanning the boycott.

**Territorial Officials Agreeable.**

Tax Assessor C. T. Wilder and Attorney-general I. M. Stainback both expressed willingness to join with the army officers in carrying the question to the courts for an early ruling. Both said they believed that is the best and quickest method of disposing of the subject.

"I understand the officers yesterday agreed to pool their interests in the affair and join in a test suit with the territory. That should be satisfactory to all parties concerned. It can be taken up directly to the supreme court on an agreed statement of facts, and a decision possibly obtained in a few weeks."

"It does not seem to me that the army men should have a grievance against Honolulu for our action." If the federal government has not specifically exempted them from state or territorial taxation that is hardly our fault. We can only obey the law.

"I shall expect the officers to make their returns to the tax office by the end of the present month, just as any other taxpayer."

**Legislature May Act.**

"I have a premonition, however, that the legislature at the coming session (Continued on page eight)

**IRON FENCE**  
IRON SETTEES, VASES AND RAILINGS.  
H. E. HENDRICK, LTD.,  
Merchant and Alakea Sts.

RESOURCEFUL SENATOR HELPING BURTON KEEP HIS FILIBUSTER GOING



Senator Elihu Root of New York. Senator Root is helping Senator Burton in the "filibuster" against the Ship Purchase Bill.

### HAWAII LOSES IN FIGHT FOR HARBOR WORK

WASHINGTON, D. C., Jan. 21.—There is no appropriation for Hawaii in the rivers and harbors bill as it passed the house except \$10,000 for the maintenance of the harbor at Kahului.

The Star-Bulletin received the cablegram above today. In view of the uncertainty whether Hawaii had been successful in the fight to get a Honolulu harbor appropriation, this paper cabled to its correspondent at Washington, "nothing having been heard from Delegate Kubie."

### JAPANESE FORM NEW WELFARE ORGANIZATION

The organization of a new Japanese association was perfected last night at a meeting of prominent members of the local Nipponese colony. It has as its objects the promotion of friendly relations between Japan and the United States and the welfare of the Japanese in Hawaii.

The new association is the outgrowth of a body formed several weeks ago, which is said to have been abandoned because of lack of support from the Japanese Merchants' association. The old constitution and by-laws were withdrawn last night and new ones, prepared by Dr. K. Uchida, were adopted. The new constitution and by-laws are said to be favored by the Merchants' association, the Japanese consul and the Japanese community in general.

Editor S. Sheba and Fred K. Makino, who were among those who formed the first association, were at the meeting. It was said that it will be endeavored to handle the work of the new organization along the lines of the local Portuguese, Hawaiian and other societies.

### GRAND JURY HEARS GAMBLING WITNESSES

Eleven witnesses were called before the grand jury late today at a session devoted to investigating charges that open gambling has been allowed in Honolulu. Others will be called tomorrow, it is believed.

Circuit Judge Ashford charged the jury and urged a thorough inquiry into the alleged gambling ring. The witnesses who appeared before the grand jury this afternoon are: Sam McMillan, A. McDuffie, captain of detectives; Joe Leal, ex-detective; Tom Quinn, chauffeur; O. Gertz, A. McDevitt, Fred Estes, Herman Kubej, J. Walter Doyle, Ogawa and Kaboshihara. Most of these witnesses have been mentioned in stories concerning gambling here.

### SUGAR

SAN FRANCISCO, Jan. 21.—Sugar: 96 degrees test, 3.95 cents. Previous quotation, 3.88 cents.

A rehearsal of "The Sho-Gun," the opera to be given during Carnival week, will be held in the mauka pavilion of the Young Hotel at 8 o'clock this evening. All persons interested in the production are invited.

### FRENCH REVIEW OF WAR PREDICTS GERMAN DISASTER

Official Statement Says General Advances Have Recently Been Made

ARTILLERY IMPROVEMENT SAVING COUNTLESS LIVES

Infantry Losses Reduced Four-fifths—"Inexhaustible Patience" is Counseled

[A. P. by Fed. Wireless]

PARIS, France, Jan. 21.—A French review of the war operations from November 15 to January 15, given out officially today, declares that the German defense is being broken down. The review says that the French have everywhere gained ground in the last two months with the exception of the retirement from Soissons. They have reduced their infantry losses four-fifths, thanks to improved artillery, and destroyed numerous German batteries.

Summarizing the operations the review says that the French have made ten perceptible general advances as compared to twenty general withdrawals of the enemy. The final victory will depend upon the Allies' inexhaustible patience and minute preparedness. The German offensive has already been broken and the defensive will be broken.

[A. P. by Fed. Wireless]

PARIS, France, Jan. 21.—Official—"East of Rheims our artillery has forced the enemy to vacate several trenches and exploded an ammunition depot northwest of Beau-sejour, capturing three posts by surprise. In the forest of Apremont we have captured 150 yards of trenches. Since January 19, fighting has been renewed near Thann, Alsace. We have progressed slowly."

### TRIP FROM COAST IN FOUR DAYS ON NEW STEAMER

A new record for running time between California and Honolulu will be hung up by the Great Northern Steamship Company's new liner Great Northern next month when it visits the Hawaiian Islands on its maiden voyage in the Pacific. This is the information received by the Promotion Committee today in a cable from H. P. Wood, Hawaii's resident exposition commissioner. Mr. Wood says that the big steamer will make the journey from San Pedro, Cal., to this port in four days.

Mr. Wood's cable is as follows: "Excursion of the steamship Great Northern has been definitely arranged and leaves San Francisco Feb. 16 and San Pedro Feb. 17, arriving in Honolulu Feb. 21. It will sail for Hilo at midnight Feb. 23 and leave Hilo the night of the 24th. The capacity of the ship is 550. It is the fastest in the Pacific."

Arrangements with the Great Northern Steamship Company to have the new liner visit Honolulu on its maiden run were completed largely at the instance of A. P. Taylor, then San Francisco representative of the Promotion Committee, with the cooperation of J. Walter Scott, the committee's Pacific coast distributor.

"The big feature of this excursion is that the steamer is going to make the trip in four days," said Mr. Taylor today. "If it actually does this a long-standing dream of the Promotion Committee will be realized."

If the Great Northern is filled to capacity 550 tourists from eastern United States and California will visit Honolulu for three days and Hilo for one day next month. The vessel will arrive in Honolulu Feb. 21, when the carnival is at its height.

The Great Northern will leave the Atlantic coast January 27 and go to San Francisco via the Panama canal. From San Francisco a trip will be made to San Pedro and thence to Honolulu and Hilo.

A mandate has been received by Federal Clerk A. E. Murphy giving notice of the supreme court's reversal of the decision handed down in the case of the John H. Estate, Ltd. vs. Francis Hyde H. Brown, and A. A. Wilder, his guardian, with costs in favor of the defendants in error. The action on the part of the supreme court also reverses the decision handed down in the case in the local federal court.

A petition for naturalization as an American citizen has been filed in the federal court by Paul Erick Schulz, a soldier. Schulz is a native of Germany.

## BRITISH TROOPS MAY MASS AT BELFORT TO JOIN IN BIG ATTACK

GENEVA REPORT, UNCONFIRMED, INDICATES ALLIES HAVE FOUND YIELDING POINT IN GERMAN LINE—RUSSIA'S TRIPLE ASSAULT GAINS MOMENTUM IN EAST—GERMANY'S DEFENSIVE SHOWS GREAT STRENGTH

[Associated Press Service by Federal Wireless]

ARNHEM, Holland, Jan. 21.—A traveler from Germany says that army aviators of the Allies bombarded Essen, site of the great Krupp gun works, yesterday and destroyed several houses.

### Von Falkenhayn Quits One Portfolio

BERLIN, Germany, Jan. 21.—Maj.-gen. von Falkenhayn, chief of staff, has resigned the portfolio of war to become general of infantry. Maj.-gen. von Hohenberg succeeds him as minister.

### Geneva Hears French Near Rhine

GENEVA, Switzerland, Jan. 21.—An unconfirmed report says that the French advance trenches near Belfort have now been driven to within 16 miles of the Rhine. Future British reinforcements are likely to concentrate in that neighborhood to take part in an onslaught if the French find the line yielding at this point.

### Air Raids Urged by German Press

BERLIN, Germany, Jan. 21.—The newspapers say that the isolation of the British isles as a protection against attack has been conquered by the feat of the German airmen in raiding coast towns. They urge fresh raids through the air.

### Russia's Triple Assault Terrific

LONDON, England, Jan. 21.—Russia's triple assault, backed by her millions of soldiers, is gaining momentum in the northern part of the eastern war arena. The offensive now threatens German communications in East Prussia.

The middle line of the Czar's men in Poland is forcing the Germans to exert their full strength to retain their present positions before Warsaw.

Southward the Austrian resistance has virtually collapsed.

### Russians Harry Defeated Turks

PETROGRAD, Russia, Jan. 21.—The Russian Caucasus staff reports that the retreating Turks have suffered further severe losses in a series of rearguard actions. The retreat is becoming a rout.

PETROGRAD, Russia, Jan. 21.—A Russian torpedo boat has sunk 12 Turkish supply ships in the Black Sea.

### Say Germans Are Being Divided

PETROGRAD, Russia, Jan. 21.—Small detachments of Germans have appeared behind the Russian army marching into East Prussia.

### Russo-Germans Must Move Back

PETROGRAD, Russia, Jan. 21.—Believing that Russo-Germans along the border are aiding the enemy, Grand Duke Nicholas has ordered all of them to sell their property within six days and prepare to remove to the interior.

### Berlin Official Report Today

BERLIN, Germany, Jan. 21.—Official—"The trenches we captured on Tuesday near Notre Dame de Lorette we have lost again. Repeated French attacks on both sides of the highway of Arras to Lille and south of Saint Mihiel have been repulsed."

"Southwest of Berry-au-Bac we stormed and retained two trenches despite fierce counter attacks. Near Pont-au-Mousson we recaptured positions lost on Monday. Elsewhere along the western line there are only artillery exchanges."

"The situation in East Prussia is unchanged."

### Greenbriar's Crew Also Arrested

WASHINGTON, D. C., Jan. 21.—The crew of the American steamer Greenbriar, whose detention by a British cruiser is being vigorously protested by the United States, were arrested and released in Bremen, the ship's destination. Why this was done is not known. The Greenbriar carried cotton and had a certificate from a British consular representative in New York.